



Archived Information

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JULY 1, 1998

THE ASSISTANT SECRETARY

TO : Chief State School Officers
State Directors of Special Education

FROM : Judith E. Heumann

SUBJECT : Final Regulations for IDEA '97

I want to give you a status report on the final regulations for the Individuals with Disabilities Education Act Amendments of 1997 (IDEA '97). I had hoped that final regulations would be published no later than July 1, however, that is not possible. My goal has been and continues to be to move as quickly as possible to publish final regulations, but to act responsibly and take very seriously each comment that we received on the Notice of Proposed Rule Making (NPRM). This has meant that when I had to choose between issuing the final regulations in a short time period or taking more time to allow for thoroughly studying complex issues, I have chosen to take the time needed to ensure a well thought-out response. As a result, it is not possible to give you a date certain for the publication of the final regulations.

Some of you have asked what regulations should be followed until final regulations have been published. States are bound by the statute (IDEA '97) and existing regulations that are not inconsistent with IDEA '97. States would also be expected to conduct monitoring of local school districts based on the statute and existing regulations that are not inconsistent with IDEA '97, pending publication of the final regulations.

Two related activities that I also would like to call to your attention are the Regulations Training Workshop and the Summer Institutes.

Final dates will be set for the Regulations Training Workshops, that were tentatively scheduled for July and August, as soon as we have a date certain for the publication of final regulations. Since these Workshops focus on the regulations changes, it would be premature for us to move forward on the Regulations Workshops and commit resources for hotel meeting spaces, before we have a specific date for final regulations publication.

Meanwhile, we are moving ahead with plans for the six Summer Institutes. These Institutes, which do not focus on the regulations, are designed to provide current, useable information and best practices to local teams. The focus will be on the IDEA '97 statute and best practices. Two Institutes will focus on IEPs and the general curriculum, two other Institutes will focus on assessment. A third set of Institutes will focus on positive behavior interventions. I have enclosed a schedule for the Institutes. For specific information about the Institutes, please contact the Regional Resource Center serving your State.

As you begin the new school year, if you have questions, please feel free to call the OSEP State Contact for your State. You also may call Dr. JoLeta Reynolds at 202-205-5507, if you have policy questions.

I appreciate all you are doing to implement IDEA '97 and wish for you much success during the coming months

Judith E. Heumann
Assistant Secretary, OSERS

Enclosure

cc: RRC Directors
FRC Director

SUMMER INSTITUTES SCHEDULE

August 1998

August 21-22

Topic: IEPs/General Curriculum
Location: Fort Lauderdale, FL
Sponsoring RRCs: WRRRC and SARRC

September 1998

September 14-15

Topic: Positive Behavior Intervention
Location: Kansas City, MO
Sponsoring RRCs: MPRRC and GLARRC

September 17-18

Topic: Assessment
Location: Boston, MA
Sponsoring RRCs: MSRRC and NERRC

September 18-19

Topic: IEP/General Curriculum
Location: Los Angeles, CA
Sponsoring RRCs: SARRC and WRRRC

September 21-22

Topic: Assessment
Location: New Orleans, LA
Sponsoring RRCs: MSRRC and NERRC

September 22-23

Topic: Positive Behavior Interventions
Location: Columbus, OH
Sponsoring RRCs: MPRRC and GLARRC